



**CITY OF BELMONT
MEMORANDUM**

TO: Planning Commission

FROM: Carlos de Melo, Community Development Director

SUBJECT: June 7, 2006 Planning Commission Meeting – Agenda Item 6C
Application No. 2006-0017 – 325 Marine View Avenue – St. Mark’s Church
Conditional Use Permit & Design Review

SUMMARY

The applicant requests Conditional Use Permit and associated Detailed Development Plan, and Design Review approval to replace the existing St. Marks Church roof with a new redesigned roof at 325 Marine View Avenue. At the 4/18/06 meeting, the Planning Commission continued the application to allow the applicant to address the project questions listed below.

RECOMMENDATION

Staff has reviewed the information provided (including a revised landscape plan for the church parking lot – see discussion below) and recommends that the Planning Commission **approve** the Conditional Use Permit and Design Review subject to the conditions of approval contained in the attached draft resolution*.

BACKGROUND

At the 4/18/06 meeting, the Planning Commission directed staff to work with the applicant to answer the following questions and address the site-specific concerns listed below:

- Provide a color sample for the exterior finishes (beams/fascia/trim, doors, and roof) and color of glass
- Ensure that no exterior lighting or interior uplighting is proposed for the church building
- Provide documentation of church schedule (hours of operation)
- Ensure that appropriate financing is guaranteed to allow for construction of the roof improvements
- Ensure that all damaged landscaping (during construction) is replaced in kind
- Provide a response to address the required landscaping for the church parking lot area

Revised project plans (see Attachment VI, Plan Set received 5-30-06) addressing the landscaping issues were subsequently submitted for the property and are summarized in the Discussion

* Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

section below; the discussion section also includes responses to the additional questions raised by the Commission. A complete staff report was prepared for the 4/18/06 Planning Commission public hearing (see Attachment III). All facts and information contained in that report remain the same with the exception of the Project Analysis and Conditional Use Permit & Design Review Evaluation sections that have been modified to incorporate the project revisions and are included in this memo.

DISCUSSION

Color Sample/Materials: The applicant provided a color sample sheet which describes the exterior colors to be used for trim, beam & fascia elements, doors, and the roof to be replaced. The submittal also includes an elevation profile with the proposed colors for the cupola – see Attachment VI.

Lighting: The applicant has provided a letter (See Attachment V) which describes that no exterior lighting or interior uplighting is proposed in conjunction with the cupola and skylight components of the reconfigured roof.

Church Schedule: The Parish has provided a schedule for their masses and other events – see Attachment V.

Financing of Improvements: Staff will be prepared to draft a condition of approval, directing the applicant to provide evidence of financing for the roof improvements, should the Commission deem appropriate.

Replacement of Damaged Landscaping: The submitted applicant letter (See Attachment V) indicates that all damaged landscaping during the course of roof reconstruction will be replaced in kind. Staff has added a condition of approval to address this issue.

Required Landscaping per DDP approval: As discussed at the 4/18/06 meeting, both Staff and the Commission confirmed issues relating to required landscaping to be installed and maintained as part of the approved Detailed Development Plan for the Planned Development. The approved landscape plan (1998) documenting landscaping to be installed surrounding the perimeter of the Parish Center building and property edges adjacent to the parking lot has been provided – See Attachment IV. Upon inspection, it appears that all required *perimeter* Parish building and parking lot landscaping has been installed.

This 1998 landscape plan further indicates a section of the property adjacent to the Church and Parish Center buildings described as “*future improvements*” that was to be landscaped with lawn and perimeter trees/paving. This area to date has not been landscaped in accordance with the approved (and required) landscape plan.

In response to this issue, the applicant has provided a revised landscape plan for the area currently used as an extension of the parking lot – See Attachment VI. The revised plan includes two sections of lawn area, bisected by a “shrine area” that includes benches, pavers, trellis enhancements, and four trees (species yet to be determined). The plan includes an additional three trees (species undetermined) at the southern end of the lawn area. The landscaped area is

surrounded by a one-way in/out driveway aisle that would allow for drop-off of passengers or patrons to the church complex. The applicant further describes their intentions for the landscape plan as part of their letter to the City – See Attachment V.

Staff believes the revised landscape plan provides a reasonable alternative to the previous lawn area/perimeter tree plan conditioned upon the following modifications:

- One additional tree shall be installed as part of the plan to effectively “frame” this landscape area - this tree should be installed within the described southeastern island area adjacent to the exiting portion of the driveway aisle.
- The species of eight required trees shall be identified – preference should be given to native, evergreen species (minimum 24” box size) that are appropriate for the climate conditions of this area.
- An irrigation plan must be provided.
- A perimeter fence/wall (between 1-3 feet in height) to the landscape area should be installed to address safety considerations for vehicles traversing the driveway aisle in concert with persons congregating in the lawn/shrine areas.

Staff recommends the amended landscape plan (with the above modifications) be provided to the Community Development Department for review and approval prior to issuance of building permits for the roof modifications. Staff further recommends that all landscaping to be installed (as part of the revised plan) must be completed prior to issuance of a Certificate of Occupancy for the roof project.

Other Site Plan Issues – Overflow Parking & Interlocking Pavers: The approved (1998) site plan indicated a bank of 32 spaces at the northern portion of the site be reserved for overflow parking. This area currently consists of a gravel surface with portion of this area converted to a vegetable garden. Staff does not see this modification as a significant issue, and seeks confirmation from the Commission that this area can remain in its current state.

The approved site plan indicated an interlocking paving element to be installed at the entrance to the parish and church buildings and at two areas to the south of the site. These paving elements were not installed as part of the project. Staff does not believe these site plan amendments to be significant in light of the proposed paving elements for the modified parking lot landscape plan. Staff seeks confirmation from the Commission that the revised site/paving/landscape plans (as proposed and further amended as described above) are reasonable and acceptable as amendments to the Conditional Use Permit and Associated Detailed Development Plan for the Parish property.

PROJECT ANALYSIS

Total height of the existing church structure is 31 feet, which includes the building (26.5 feet) and cross (4.5 ft.). The proposed grade to top of the modified roof is 34.5 feet with the relocated 4.5 ft. cross for a total height of 39 feet.

The new roof will replace the existing gravel roof, and consist of asphalt shingles (Weatheredwood, in a brown color), 14 skylights, a reflected cupola with colored glass (red, orange, yellow, green, blue, violet), topped by the relocated cross. The cupola will be

constructed with anodized aluminum window tubular framing and double paned glass. No changes, except for the aforementioned roof modifications and landscape plan amendments/installation, are proposed for the existing 9,663 square foot church building or subject site.

Zoning Conformance - Conceptual and Detailed Development Plans

A Conceptual Development Plan is the core of a PD zone designation. PD designations are assigned only in response to a specific project application, and each PD-zoned site includes a Conceptual Development Plan. The CDP includes a schematic layout of, “proposed land uses, location of building, structures and building groups...proposed circulation systems...proposed parks, playgrounds, school sites and other open spaces...proposed landscaping...any existing trees to be removed...proposed off-street parking”.¹ As discussed above, the existing church has been appropriately designated within the approved CDP for the Oxford Place Planned Development.

Detailed Development Plan (DDP) review for any established Planned Development-zoned property does not occur until after a CDP is approved. The DDP review focuses on “...elevations and perspective drawings of all proposed (or in this case existing) structures...location and type of plant materials...finished grades...off-street parking”.²

Section 12.4 of the Belmont Zoning Ordinance identifies how DDP’s are established.³ DDP’s (and any associated amendments, as in this case) are reviewed and approved (via a Conditional Use Permit) by the Planning Commission. The City Council only reviews DDP applications if an appeal is filed after Planning Commission action.

Section 12.9 of the Zoning Ordinance specifies that changes in Detailed Development Plans shall be considered the same as changes to the Conditional Use Permit. Thus the proposed roof height increase would require approval of a Conditional Use Permit; the specific findings required for the DDP amendment follow later in the report.

1 Belmont Zoning Ordinance, Section 12.3A, excerpts

2 Ibid., Section 12.5.A.6, excerpts

3 “12.4 APPROVAL OF USES AND DEVELOPMENT – A Conditional Use Permit shall be required for any and all uses in a PD District, and Design Review shall be required for any and all improvements, as determined below:

A For all commercial, institutional, multiple family residential, institutional and similar developments, the principles of Section 13.5.3 shall be followed.

...

C In addition, the Planning Commission shall not grant a Use Permit for any use or uses in a PD District, unless it finds:

1 Such use or uses substantially conform to the adopted General Plan of the City of Belmont.

2 Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.

A Detailed Development Plan, as described in Section 12.5 shall be submitted as part of any application for a Use Permit / Design Review”

CONDITIONAL USE PERMIT

The Commission may grant the Conditional Use Permit to amend the Detailed Development Plan, subject to the following findings per Section 11.5.1 a-d (Conditional Use Permits) of the Zoning Code:

- a. *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services in the vicinity.*

The St. Mark's church property is located in a low-density residential neighborhood that is compatible with the zoning and general plan designations. The existing use will not be affected by the proposed roof modifications. Transportation, utilities and service facilities will not be impacted by the increased building height (approximately eight feet). This finding can be made in the affirmative.

- b. *The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls, fences, parking and loading facilities, landscaping and such other provisions as required by the Zoning Ordinance.*

The site has adequate parking to serve the existing uses. The property is buffered from adjacent residential uses by parking and landscape areas. A modified landscape plan for the parking lot area further improves the existing site conditions. The proposed height change for the new roof will not impact the existing site layout/design. This finding can be made in the affirmative.

- c. *The site will be served by streets of capacity sufficient to carry the traffic generated by the proposed use.*

The church site is located in a Planned Development that is sufficiently served by local streets. The proposed roof modifications for the church building will not represent a change in the amount of traffic generated in the neighborhood. Based on comments received from City Departments, local streets are adequate to accommodate the current use for the site. Thus, this finding can be made in the affirmative.

- d. *The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The proposed roof modifications would not adversely impact surrounding properties, as the current use is compatible and consistent with the adopted development regulations of the site. Additional landscaping to be installed for the parking lot will further improve the aesthetics of the site. The layout/design of the modified church building roof will not impair views of significance and will not adversely affect other property in the vicinity or the general welfare of the City. This finding can be made in the affirmative.

The following two additional findings as per Section 12.4.C (1 & 2) of the Zoning Code are required in order to amend a DDP as part of the Conditional Use Permit.

1. *Such use or uses substantially conform to the adopted General Plan of the City of Belmont.*

The existing and proposed uses for the site are identical and in conformance with the approved Conceptual Development Plan adopted for the site in 1998; the St. Mark's Church roof modifications project is compatible with the Low Density Residential (RL) General Plan Designation for the property. The proposed project does use does not change the land use of the site. This finding can be made in the affirmative.

2. Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.

The existing use (St. Mark's Church) is clearly indicated as part of the approved (1998) Conceptual Development Plan (CDP) for the site. This finding can be made in the affirmative.

DESIGN REVIEW

The proposed roof modifications for the existing church building are required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The following is an analysis of those standards.

a) Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.

The proposed new roof would replace the existing roof without significantly changing the structure of the existing building. The design of the new roof would include the addition of a reflected cupola that would increase the total roof height by approximately eight feet. The design of the cupola provides an elevated mount for the relocated church cross. Overall, the design features of the modified roof design generally provide appropriate scale, mass, and proportions for the site.

b) Review of proposed exterior color and material application with relationship to adjacent architecture of natural elements. The intent with respect to review of color is to avoid the use of extreme color.

The project does not include the use of extreme color. The proposed roof would replace an existing gravel roof with an asphalt shingle roof consisting of an earthtone (brown) color. The cupola would have colored glass that is compatible with the design of the colored glass used for the exterior of the church structure. The proposal will compliment existing on-site building materials, both in exterior color and finish. All of the colors are subdued and will blend appropriately with the existing on-site buildings and other mixed architectural designed residential buildings in the vicinity of the site.

c) Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.

No new walls, or fences are planned for the site. Additional landscaping to be installed within the parking lot will reduce current hardscape areas for the site and improve the aesthetics of the

buildings and property. No existing trees would be removed to allow for the proposed construction.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No new signage is proposed as part of the roof modifications for the church building. Existing building and directional signage for the site will continue to be maintained for the property.

- e) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The approved Planned Development (1998) and associated project site plan was developed in direct response to the existing conditions and limitations of the property. No significant changes are proposed to the site layout for the property.

- f) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

With staff recommended modifications to the proposed parking lot landscape plan, the proposed circulation system for pedestrians and vehicles is generally safe and efficient. Reasonable delineation is made between pedestrian walkway areas and vehicular drives, and entrances/exits.

- g) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

New landscaping (to address required 1998 approvals) is proposed for the parking lot which will improve the site layout and reduce existing hardscape areas for the property. No trees would be removed to allow for the proposed roof modifications.

Staff has considered the applicant's request for Design Review and finds it consistent with the Design Review Ordinance Principles (Section 13.5.3) of the Zoning Ordinance. Staff reviewed the exterior materials/colors, roof design, and modified landscape plan for the parking lot, and believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

CONCLUSION AND RECOMMENDATION

Based on the foregoing analysis and required findings, staff recommends approval of the

Conditional Use Permit, and Design Review to allow an amended parking lot landscaping plan and roof modifications (via a height increase) for the St. Mark's church building located at 325 Marine View Avenue.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Conditional Use Permit, and Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. Resolution approving the Conditional Use Permit & Design Review
 - II. Conditions of Approval
 - III. April 18, 2006 Planning Commission Staff Report & Action Minutes (Commission Only)
 - IV. Excerpt Information – Zoning Code Section 11.5.2, Conditions of Approval for Detailed Development Plan Approval – 1998, and approved Site/Landscape Plan – 1998 (Commission Only)
 - V. Applicant Letter & Church Schedule – May 5, 2006
 - VI. Revised Landscape plans & materials board, May 30, 2006 (Commission Only)
- CC: Applicant

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A CONDITIONAL USE PERMIT AND ASSOCIATED DETAILED
DEVELOPMENT PLAN AMENDMENT, AND DESIGN REVIEW FOR ST. MARK'S
CHURCH AT 325 MARINE VIEW AVENUE (APPL. NO. 2006-0017)

WHEREAS, the Roman Catholic Archbishop of San Francisco, property owner, requests Conditional Use Permit and Design Review approval to modify the parking lot landscaping plan and replace the existing roof of the St. Marks Church with a new redesigned roof that includes a reflected cupola addition, retains the existing cross, and increases the building height from 31 feet to 39 feet at 325 Marine View Avenue; and,

WHEREAS, on April 18, 2006 and June 7, 2006, the Planning Commission, following notification in the prescribed manner, conducted public hearings, at which hearings the Commission considered public testimony and staff reports on the aforementioned requested entitlements; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Sections 15301 & 15302; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated June 7, 2006, and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission has considered the applicant's request for a Conditional Use Permit to amend the Oxford Place Detailed Development Plan (DDP) for the proposed St. Mark's church roof and parking lot landscaping modifications and finds that it meets required findings as set forth in Sections 11.5.1 (a-d) and 12.4.C (1 & 2) of the Zoning Ordinance as follows:

- a. *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services in the vicinity.*

The St. Mark's church property is located in a low-density residential neighborhood that is compatible with the zoning and general plan designations. The existing use will not be affected by the proposed roof modifications. Transportation, utilities and service facilities will not be impacted by the increased building height (approximately eight feet). This finding is affirmed.

- b. *The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls, fences, parking and loading facilities, landscaping and such other provisions as required by the Zoning Ordinance.*

The site has adequate parking to serve the existing uses. The property is buffered from adjacent residential uses by parking and landscape areas. A modified landscape plan for the parking lot area further improves the existing site conditions. The proposed height change for the new roof will not impact the existing site layout/design. This finding is affirmed.

- c. *The site will be served by streets of capacity sufficient to carry the traffic generated by the proposed use.*

The church site is located in a Planned Development that is sufficiently served by local streets. The proposed roof modifications for the church building will not represent a change in the amount of traffic generated in the neighborhood. Based on comments received from City Departments, local streets are adequate to accommodate the current use for the site. This finding is affirmed.

- d. *The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The proposed roof modifications would not adversely impact surrounding properties, as the current use is compatible and consistent with the adopted development regulations of the site. Additional landscaping to be installed for the parking lot will further improve the aesthetics of the site. The layout/design of the modified church building roof will not impair views of significance and will not adversely affect other property in the vicinity or the general welfare of the City. This finding is affirmed.

12.4.C.1. Such use or uses substantially conform to the adopted General Plan of the City of Belmont.

The existing and proposed uses for the site are identical and in conformance with the approved Conceptual Development Plan adopted for the site in 1998; the St. Mark's Church roof modifications project is compatible with the Low Density Residential (RL) General Plan Designation for the property. The proposed project does use does not change the land use of the site. This finding is affirmed.

12.4.C.2. Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.

The existing use (St. Mark's Church) is clearly indicated as part of the approved (1998) Conceptual Development Plan (CDP) for the site. This finding is affirmed.

WHEREAS, the Planning Commission has considered the applicant's request for Design Review pursuant to the Design Review Ordinance Principles of Section 13.5.3 of the Belmont Zoning Ordinance as follows:

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed new roof would replace the existing roof without significantly changing the structure of the existing building. The design of the new roof would include the addition of a reflected cupola that would increase the total roof height by approximately eight feet. The design of the cupola provides an elevated mount for the relocated church cross. Overall, the design features of the modified roof design generally provide appropriate scale, mass, and proportions for the site.

- b) *Review of proposed exterior color and material application with relationship to adjacent architecture of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The project does not include the use of extreme color. The proposed roof would replace an existing gravel roof with an asphalt shingle roof consisting of an earthtone (brown) color. The cupola would have colored glass that is compatible with the design of the colored glass used for the exterior of the church structure. The proposal will compliment existing on-site building materials, both in exterior color and finish. All of the colors are subdued and will blend appropriately with the existing on-site buildings and other mixed architectural designed residential buildings in the vicinity of the site.

- c) *Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

No new walls, or fences are planned for the site. Additional landscaping to be installed within the parking lot will reduce current hardscape areas for the site and improve the aesthetics of the buildings and property. No existing trees would be removed to allow for the proposed construction.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No new signage is proposed as part of the roof modifications for the church building. Existing building and directional signage for the site will continue to be maintained for the property.

- h) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The approved Planned Development (1998) and associated project site plan was developed in direct response to the existing conditions and limitations of the property. No significant changes are proposed to the site layout for the property.

- i) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

With staff recommended modifications to the proposed parking lot landscape plan, the proposed circulation system for pedestrians and vehicles is generally safe and efficient. Reasonable delineation is made between pedestrian walkway areas and vehicular drives, and entrances/exits.

- j) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

New landscaping (to address required 1998 approvals) is proposed for the parking lot which will improve the site layout and reduce existing hardscape areas for the property. No trees would be removed to allow for the proposed roof modifications.

WHEREAS, the Planning Commission finds the applicant's request for Design Review is generally consistent the Design Review Ordinance Principles pursuant to Section 13.5.3 of the Zoning Code. The Planning Commission reviewed the exterior materials/colors, roof design, and modified landscape plan for the parking lot, and believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission approves the Conditional Use Permit and associated Detailed Development Plan Amendment, and Design Review to allow the St. Mark's Church roof modifications and parking lot landscaping modifications at 325 Marine View Avenue, subject to the conditions attached as Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on June 7, 2006 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL CONDITIONAL USE PERMIT & DESIGN REVIEW ST. MARK'S CHURCH - 325 MARINE VIEW AVENUE (APPL. NO.2006-0017)

- I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:
 - A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0017 and date-stamped February 14, 2006 and May 30, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. Prior to the issuance of building permits for the Church roof modifications project, the applicant shall provide an amended parking lot landscape plan (from the May 30, 2006

submittal) to the Community Development Department for review and approval, which reflects the following changes:

- One additional tree shall be installed as part of the plan to effectively “frame” the parking lot landscape area - this tree shall be installed within the described southeastern island area adjacent to the exiting portion of the driveway aisle.
- The species of the eight required trees shall be identified – preference should be given to native, evergreen species (minimum 24” box size) that are appropriate for the climate conditions of this area.
- An irrigation plan shall be provided.
- A perimeter fence/wall (between 1-3 feet in height) to the landscape area shall be installed to address safety considerations for vehicles traversing the driveway aisle in concert with persons congregating in the lawn/shrine areas.

All landscaping to be installed (as part of the revised plan described above) must be completed prior to issuance of a Certificate of Occupancy for the roof project.

7. All landscaping damaged during the course of construction of the roof modifications project for the Church shall be replaced in kind prior to issuance of a certificate of occupancy for the building.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method may be required to be installed prior to discharge to the gutter.
 2. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
- B. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
 - a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
2. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.

3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

Carlos de Melo, Community Development Director

Date